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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,628	07/13/2001	Kenichi Fujii	1232-4739	3392
27123	7590	02/06/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 345 PARK AVENUE NEW YORK, NY 10154			NGUYEN, SIMON	
			ART UNIT	PAPER NUMBER
			2685	9

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,628

Applicant(s)

FUJII, KENICHI

Examiner

SIMON D NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-9, 11-12, 14-16, 18-20, 22, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amin et al. (6,411,807) in view of Mori et al. (6,128,485).

Regarding claim 1, Amin discloses a registration method for registering a communication subscriber with the communication system (fig.2), comprising: restricting a transmission of a signal transmitted from a wireless device which has already been registered in a registration mode for registering the wireless device which has not yet been registered (fig.2, column 6 lines 39-67, column 7 lines 1-22). However, Amin does not specifically disclose a base station signal is transmitted in the registration mode from a base station to the communication apparatus for restricting the transmission of the signal from the communication apparatus.

Mori discloses a communication system in which a base station is transmitted in a registration mode (for example, registering in location database 6 and service information database 9 of fig.6) from a base station to a personal station for restricting the transmission of the signal from the personal station which has been registered in the

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registration mode (abstract, column 3 lines 6-15, column 7 lines 42-50, column 16 lines 11-42, column 20 lines 12-43, column 25 lines 1-50). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Amin, modified by Mori to inform a communication apparatus the restricted-area transmission in order to prevent the disturbance of people in a specified location, for example, in a church or a theater.

Regarding claim 2, Amin further discloses the restriction for an outgoing call (column 7 lines 3-4).

Regarding claim 3, Amin further discloses a base station (#36, 37) in the network for use in response for registering the restriction (fig.1, column 4 lines 52-57).

Regarding claim 6, Amin further discloses the step of setting a restriction mode (step 206, 208, 209, 210 of fig.2, column 6 line 25 to column 7 line 22).

Regarding claim 7, Amin further discloses the transmission of the signal is restricted in response to a base station in accordance with an instruction from a host, which is connected via a public line (fig.2, column 3 line 24 to column 5 line 45).

Regarding claim 8, Amin further disclose the restriction is transmitted upon releasing of the registration mode (column 6 line 25 to column 7 line 22).

Regarding claim 9, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 12, this claim is rejected for the same reason as set forth in claim 1, wherein the base station (36, 37, 40 fig.1) is used to transmit the restriction mode.

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Regarding claim 15, this claim is rejected for the same reason as set forth in claim 1, wherein wireless devices (5, 10, 20, 30 of fig.1) as communication apparatus.

Regarding claim 16, this claim is rejected for the same reason as set forth in claim 1 wherein a program is inherent in the system for running the step of registration and restriction.

Regarding claims 11 and 14, these claim are rejected for the same reason as set forth in claim 7.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 7, wherein a program is inherent in the system for running the step of registration and restriction.

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 15, wherein a program is inherent in the system for running the step of registration and restriction.

Regarding claims 20, and 22, Amin discloses a communication system having wireless devices and base stations, where the base stations connected via a public line to a host and the wireless devices restricts a transmission of a signal in response to a base station signal (figs.2-3, column 6 line 25 to column 7 line 22).

Regarding claims 24, this claim is rejected for the same reason as set forth in claim 20.

Regarding claims 26, this claim is rejected for the same reason as set forth in claim 22, wherein a program is inherent in the system for running the step of registration and restriction.

3. Claims 5, 10, 13, 17, 21, 23, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amin et al. (6,411,807) in view of Mori et al. (6,128,485) as applied to claims 1, 9, 12, 16, 20, 22, 24, and 26 above, respectively, and further in view of Boltz (6,311,055).

Regarding claims 5 and 10, the modified Amin does not specifically disclose a base station transmits signals depending on whether or not the registration mode is set for transmitting a first signal is used to restrict the transmission of the signal and a second signal is used not to restrict the transmission of the signal.

Boltz discloses system and method for providing restriction s on mobile calls (title, abstract), in which the system transmits two signals depending on the registration. If the call is barred, transmit a call-rejected message to the mobile station. If the call is not barred, transmit a call establishment (column 7 lines 11-55). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Amin, modified by Boltz in order to improve the system performance.

Regarding claim 17, this claim is rejected for the same reason as set forth in claim 5, wherein a program is inherent in the system for running the steps of registration and restriction.

Regarding claims 21 and 23, these claim are rejected for the same reason as set forth in claim 5.

Regarding claim 25, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 27, this claim is rejected for the same reason as set forth in claim 5 wherein the program is inherent in the system for running the step of registration and restriction.

Response to Arguments

4. Applicant's arguments with respect to claims 1-3, 5-27 have been considered but are moot in view of the new ground(s) of rejection.

The Mori reference discloses a communication system comprises a service information database for storing different communication service including a transmission restriction service and a location database for registering the mobile locations (it should be noted that the service information and location have been registered prior to storing in the service information database), a base station, and a mobile station, and wherein the base station transmits a signal to inform the mobile station that a transmission signal which has been registered in the service information database is restricted (fig.6, columns 3-5).

In response to the concern related to the Supplemental Preliminary Amendment, the Supplemental Preliminary Amendment filed on May 15, 2003 has been entered and used for the rejection in the Office Action mailed 9/17/03.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (703) 308-1116. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

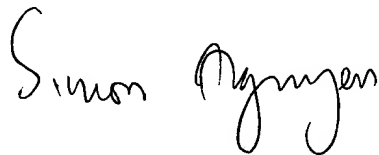
Or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Hand-delivered response should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Simon Nguyen

February 3, 2004

A handwritten signature in black ink that reads "Simon Nguyen". The signature is written in a cursive style, with the first name "Simon" and the last name "Nguyen" clearly legible.